

WILMERHALE

VIA ECF

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Honorable Robert W. Lehrburger
United States District Magistrate Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *In re Customs and Tax Administration of the Kingdom of Denmark*
(Skatteforvaltningen) Tax Refund Scheme Litigation, No. 18-md-02865-LAK

Dear Judge Lehrburger,

On behalf of the Defendants,¹ we respectfully request that the Court issue an order permitting the Defendants to file under seal certain exhibits to the Opposition to SKAT's Motion to Compel ("Opposition") (ECF No. 628) pursuant to the Court's Individual Rules.

Exhibits A through C to the Opposition are documents produced by Defendants in this litigation that have been designated as "Confidential" or "Highly Confidential" pursuant to the Revised Amended Stipulated Protective Order Governing Confidentiality of Discovery Materials (the "Protective Order") in this case. *See* ECF No. 489. Under Paragraph 15 of the Protective Order, absent withdrawal of confidentiality designations, Defendants are required to file these discovery materials under seal. Given the nature of the documents at issue, Defendants do not withdraw the confidentiality designations of the exhibits. The documents reflect customarily non-public financial or commercial information, including legal advice rendered to parties who have not waived the privilege. Plaintiff does not oppose this motion.

Defendants respectfully request that the Court grant Defendants leave for Exhibits A to C to the Opposition to remain under seal.

Respectfully submitted,

/s/ Sharon L. McCarthy
Sharon L. McCarthy
Kostelanetz & Fink LLP

/s/ Alan E. Schoenfeld
Alan E. Schoenfeld
Wilmer Cutler Pickering Hale and Dorr LLP

Cc: All counsel of record (via ECF)

¹ We submit this letter on behalf of defendants listed in Exhibit A of SKAT's Letter Motion to Compel Defendants to Produce Documents. Mot., Ex. A, ECF No. 620-1.